

**GOVERNOR'S COUNCIL ON DISABILITIES
AND SPECIAL EDUCATION**

**Developmental Disabilities Committee
Meeting Minutes**

LOCATION

**Governor's Council Conference Room
3601 C Street
Anchorage, Alaska
Teleconference**

Meeting Date

**April 4, 2018
1:00 p.m.**

Attendees:

Corey Gilmore
Art Delaune
Dave Fleurant
Mallory Hamilton
Maureen Harwood
Lizette Stiehr
Caitlin Rogers
Kim Champney
Jeanne Gerhardt-Cyrus
Heidi Kelly
Anthony Cravalho
P.J. Hatfield-Bauer

Guests:

Duane Mayes

Staff:

Anne Applegate
Lanny Mommsen

Prepared by: Sheila Garrant, Peninsula Reporting

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Call to Order – 1:00 p.m.
Roll Call

WELCOME FROM THE CHAIR

Corey Gilmore welcomed the committee members to the meeting.

INTRODUCTIONS, ANNOUNCEMENTS, AND GOOD NEWS

No introductions, announcements, or good news were reported.

CORRESPONDENCE

No correspondence was reported.

CONFLICT OF INTEREST DECLARATIONS

No conflicts of interest were declared.

APPROVAL OF THE AGENDA

Mallory Hamilton **MOVED** to approve the agenda, **SECONDED** by Lizette Stiehr. Hearing no objections, the motion **PASSED**.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING

Mallory Hamilton **MOVED** to approve the minutes from the March 2018 meeting as written, **SECONDED** by Lizette Stiehr. Hearing no objections, the motion **PASSED**.

REPORTS

DD Collaborative Update

Kim Champney reported that she is in Wasilla this week co-facilitating the focus group meeting with Roy Scheller, the chair of the DD Vision project. They held focus group meetings in Kodiak on Monday and Kenai on Tuesday. She stated that the meetings have had good attendance. At the meetings, they are hearing the importance of parents understanding the vision and person-directed services. She noted that there have been very

good discussions about how to create true inclusion, and they are hearing that a common barrier in the support chain is transportation, particularly in rural/remote regions. She stated that Kristin Vandagriff sent the committee members a link to an online survey, and she encouraged committee members to fill it out.

Kim Champney reported that she and Lizette Stiehr are working on a community awareness group related to the DD Vision. One of the projects they identified was creating a welcoming video for people and families new to services that talks about the vision and person-directed supports and self-advocacy. This would be the introductory video hub with different resource spokes linked to it such as waiver training, supported decision making, and other community resources to support an individual.

Kim Champney shared that with regards to community awareness, there is a national annual disability pride event that's tied to the ADA signing. She reported that the DD Vision Project is planning a disability pride event for Alaska for July 21st. They will be reaching out to partners across all disability areas to come together and support the event.

Chair Report

Corey Gilmore shared that the new equipment the Council approved for him came in, and he is pleased to be able to be clearly heard and hear the teleconferenced meetings.

Jeanne Gerhardt-Cyrus shared that the annual youth conference in the Kotzebue region starts April 5th.

I/DD Unit

Duane Mayes joined the meeting to give an update on the following topic areas:

EVV

Duane Mayes reported that there has been a push nationwide to get CMS to extend going live with the system by two years. If CMS chooses not to do that, they will allow states to put in a good faith letter extension request.

Duane noted that he wrote an e-mail to CMS officials detailing the state of the State for implementing EVV in Alaska, which will be useful should they need to submit an extension request.

Duane Mayes reported that they plan to hold community forums statewide throughout the next four months for a total of 15 forums in order to gather feedback on the concerns with the rollout of EVV. He noted that they also reached out to Senator Murkowski and Congressman Young regarding their concerns with EVV.

The State of Day Habilitation

Duane Mayes began by stating that 85 percent of the plans of care that have come in since October 1st (over 900 submitted) have requests below 12 hours. He gave a brief history reminding everyone that this was a collective effort involving a large number of stakeholders to identify efficiencies and reductions given the reductions imposed by the legislature. One of the recommendations was reductions to day habilitation, and after an analysis it was concluded that approximately 11 hours a week was the average.

Duane Mayes stated that 15 percent of the plans submitted since October 1st have come in with requests for approximately 7.5 hours above the soft cap, for a total of just under 20 hours. There were a few outliers with requests for 40, 45, to 50 hours of day habilitation per week, which are the exception. Duane reported that there have been eight plans approved with day habilitation above the 12-hour soft cap.

Duane Mayes outlined the basic criteria they use to approve hours beyond the soft cap as follows:

- Rural/remote environment where there are absolutely no natural supports whatsoever,
- Behavioral challenges,
- Six critical incident reports in that year,
- In and out of institutions and/or currently in an institution and a plan is being developed to return to the community.

Duane Mayes described some of the plans of care submitted as having

statutory language specific to risk of institutionalization inserted as justification for exceptions to the soft cap or requesting the same level of day habilitation they were previously approved for, which is not enough to justify a request for increased hours.

Duane Mayes informed the committee that before October when they went live with the soft cap, they wrote the draft regulations. Within the draft regulatory language they had a section specific to day habilitation where they talked about health and safety and risk of institutionalization. The error in the language came with the "and" risk of institutionalization, which went to the public and "or" risk of institutionalization that went to CMS. They currently have an amendment with CMS to correct that error.

Companion Services

Duane Mayes reported that Representative Ortiz from Ketchikan submitted an amendment referred to as legislative intent language directing the Division to move forward with implementing companion services as a way to supplement the reduction in hours to day habilitation. Duane stated that they will engage the community and reach out to other state officials regarding definitions and guidance they might offer on their companion services.

Harmony System Transition

Duane Mayes answered questions related to the Harmony system stating that they went live with Harmony internally to ensure the system is working well before it goes live publicly. He anticipates that Harmony will be out within the next month or two.

Individual Supports Waiver (ISW)/Community First Choice (CFC)

Duane Mayes stated that the ISW amendment has not yet been approved. He noted that they are in the request for additional information process. Duane stated that the CFC, the State Plan Amendment (SPA), and the targeted case management have been approved, and the regulations for the CFC are with the Department of Law for a final review before going to the Lieutenant Governor's office. He noted that they are still on target to go live with the ISW in May and are going live with CFC option in July.

General Council and Executive Committee Update

Patrick Reinhart reported that the Executive Committee is involved in the Council meeting planning. The meeting is scheduled for May 15th and will be a one-day teleconference/webinar. The next Executive Committee meeting is scheduled for April 10th.

Patrick Reinhart reported that the Council office is planning to move to another office located downtown at the Atwood State Office Building sometime around the fiscal year change-over.

Mental Health Trust Authority

A report from the Mental Health Trust Authority was not available for the meeting.

AADD

Lizette Stiehr reported that AADD's monthly meeting is scheduled for April 12th where Duane Mayes will speak to the group about electronic visit verification, day habilitation, technology mini grants, and other imminent topics.

Lizette Stiehr reported that the next Hot Topic meeting will be focused on codes of ethics, where they will be asking their member programs to share where their organizations are with regards to ethic codes. That meeting is scheduled for April 26th at 11:00 a.m.

Lizette Stiehr reported that AADD met with Representative Don Young where they got to present a number of issues from the provider's standpoint to him including EVV, where providers are being forced by an unfunded federal act to move into electronically verifying visits. Lizette reported that AADD has written a letter to the congressional delegation recommending that the implementation be pushed back and that the definition of who it applies to be narrowed and at a minimum exclude 24-hour services.

Lizette Stiehr reported that ANCOR, the national organization representing

providers put out a six-page memorandum clearly expressing to CMS how problematic the timelines are for the implementation with the new broader categories included.

Lizette Stiehr reported that SB 174, the DD Shared Vision has passed the Senate and has been through two committees in the House. Lizette shared that she will be speaking about the Shared Vision at the Stone Soup Group's Parent Conference, and Kim Champney will be speaking about the Shared Vision at the Full Lives Conference. On the national level, Kim Champney, Amanda Faulkner, and Lizette will be presenting at ANCOR in New Orleans mid-April on what the Shared Vision looks like in implementation in Amanda Faulkner's agency.

Housing

A report from Oscar Cedano on housing was not available for the meeting.

Stone Soup Group

Anne Applegate reported that Stone Soup Group is hosting the Parent Conference April 6th and 7th, and the Soupie Awards will be presented Saturday morning at 9 a.m. Anne noted that Stone Soup Group has a kickoff event Thursday, April 5th at St. Patrick's Cathedral where they will have music, dancing, and food. More information on the Stone Soup Group events can be found on their website.

ADRD Home and Hope Intentional Neighborhoods

Mallory Hamilton reported that with regards to the intentional neighborhood, three homes are ready to move in, and every two weeks one more will be finished. She shared that her daughter's home will be ready June 1st, possibly sooner, which is exciting.

ICC Update

Kim Champney briefly reported that Steve Lutzky presented a proposed assessment and support planning process via a flow chart. The flow chart outlined the process from intake through the person-directed support planning process and showed where the interRAI assessment tool would fit

in.

The next meeting of the ICC is scheduled for May 22nd where the topic will be the assessments and support planning process (ASP).

Key Coalition/Campaign

Anne Applegate reported that there haven't been any new developments to report for Key Coalition.

AD HOC WORK GROUPS

Medicaid Update

Anne Applegate reported that there was nothing new to report from the Medicaid Ad Hoc Workgroup.

Workforce Workgroup Update

Lanny Mommsen reported that they have finished the draft for the caregiver and employment barrier survey, and it has been forwarded to the Institutional Review Board for approval.

FASD Work Group Update

Lanny Mommsen reported that the next FASD Workgroup meeting is scheduled for April 24th from 1 to 3 p.m. She reported that the film *Moments to Moments* was shown at the Bear's Tooth, and there was a panel discussion afterwards. She noted that it was very well attended. The film will be showing at UAA during Public Health Week.

Lanny Mommsen reported that Jenn Wagaman is going to be doing a FASD presentation at the Full Lives Conference.

Supported Decision Making Update

Anne Applegate reported that HB 336 suffered a bit of a slowdown in order to add another amendment related to the lack of an agreement model form in the statute. The Council's objection was that they do not want that

because a regulation is an easier thing to change as they learn what kinds of things work and do not work as an agreement form. In the spirit of compromise, Anne relayed information and language to the legislative drafter, which then went through Representative Millett's office. They are waiting for a hearing in the Judiciary Committee. Anne noted that there is good support on the Judiciary Committee and once a hearing is scheduled, the Council has lined up a law professor from the University of Texas to testify regarding outcomes and usage of supported decision making in the three years they have been using them. They also have letters of support from lawyers and are working on getting a representative from the ACLU to speak in support of supported decision making.

Anne Applegate reported that they are planning to produce videos to educate DSPs and agency staff about supported decision making. To start, they plan to develop vignettes that model how to do an initial interview.

Anne Applegate shared that the keynote speech at the Full Lives Conference will be on supported decision making, and a showing of the movie *Body and Soul* will be used to frame the underlying principles of support for decisions. Anne noted that she will be presenting supported decision making at the Stone Soup Group Parent Conference.

NEW BUSINESS

Initial Cultural and Linguistic Competencies Plan Discussion

Anne Applegate directed the members' attention to the attachment Kristin Vandagriff sent of the infographic on cultural and linguistic competency. Jeanne Gerhardt-Cyrus reviewed the infographic and recommended that the Council do a self-assessment to measure the Council's competency with regards to cultural inclusion, linguistic competency, and diversity. Patrick Reinhart offered to set up a meeting with Jeanne to discuss how best to go about doing that, and they will bring that back to the committee for discussion.

OTHER

Heidi Kelly shared an upcoming event at the Sear's Mall in Anchorage Saturday, April 14th from 10 a.m. to 4 p.m. called Shining Abilities Craft Fair.

It is a craft fair that showcases the artistry and creative abilities of people who experience intellectual and developmental disabilities. Heidi noted that at noon, the artists will take the stage and share their stories and experiences.

Heidi Kelly shared that she will be presenting *Transitioning: From a Kid's, Parent's, and Autistic's Point of View* at the Stone Soup Group Parent Conference on Saturday from 12:45 to 1:30 p.m.

Heidi Kelly also shared the good news that she's become a grandparent again to a lovely new baby boy named Jeremiah.

UPCOMING MEETINGS/CONFERENCES

April 6 – 7, 2018

Stone Soup Group Parent
Conference

April 24, 2018

FASD Workgroup Quarterly
Meeting

April 11 – 13, 2018

Connecting to Full Lives

May 15, 2018

Council Meeting

April 14, 2018

Shining Abilities Craft Fair
Sear's Mall, Anchorage

May 23, 2018

DD Collaborative Meeting

April 16, 2018

Autism Ad Hoc Quarterly Meeting

July 9 – 11, 2018

NACDD Conference in D.C.

TIME AND DATE OF NEXT MEETING

The next regular DD Committee is scheduled for May 2, 2018 from 1:00 to 3:00 p.m.

ADJOURNMENT

Lizette Stiehr **MOVED** to adjourn the meeting, **SECONDED** by Heidi Kelly. Hearing no objections, the motion **PASSED**, and the meeting adjourned at 2:45 p.m.